



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/558,937

01/29/2007

Miles Andrew Nunn

2488-1-012PCT/US

6334

23565 7590 11/10/2008  
KLAUBER & JACKSON  
411 HACKENSACK AVENUE  
HACKENSACK, NJ 07601

EXAMINER

ROBINSON, HOPE A

ART UNIT

PAPER NUMBER

1652

MAIL DATE

DELIVERY MODE

11/10/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

|  |                        |  |   |
|--|------------------------|--|---|
| APPLICATION NO. /CONTROL NO.<br>10558937 | FILING DATE<br>1/29/07 | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION<br>NUNN, MILES ANDREW | ATTORNEY DOCKET NO.<br>2488-1-012PCT/US |
|--|------------------------|--|---|

|                              |
|------------------------------|
| EXAMINER<br>HOPE A. ROBINSON |
|------------------------------|

|                  |                   |
|------------------|-------------------|
| ART UNIT<br>1652 | PAPER<br>20081028 |
|------------------|-------------------|

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

The addresses below are effective 5 June 2004. Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Web (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>>, EFS Submission User Manual - ePAVE)
2. Mailed to:  
Mail Stop Sequence  
Commissioner for Patents  
P.O. Box 22313 1450  
Alexandria, VA 22313 1450
3. Hand Carry, Federal Express, United Parcel Service or other delivery service to:  
U.S. Patent and Trademark Office  
Mail Stop Sequence  
Customer Window  
Randolph Building  
401 Dulaney Street  
Alexandria, VA 22314

Any inquiry concerning this communication should be directed to Hope Robinson at telephone number (571)272-0957. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nashaat T. Nashed, can be reached on 571-272-0934. Note that claims such as elected claims 12-14 recite Figure 4, instead of a discrete sequence identifier. In addition, the specification at page 22 indicates that Figure 4 depicts a primary sequence of OmCI and again no discrete sequence notation is provided to be able to search the invention. Thus, the application is not in compliance with the sequence rules.

/Hope A. Robinson/  
Primary Examiner, Art Unit 1652